

By: Zaffirini

S.B. No. 1146

A BILL TO BE ENTITLED

AN ACT

relating to authorizing the issuance of revenue bonds or other obligations to fund capital projects at public institutions of higher education.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter B, Chapter 55, Education Code, is amended by adding Sections 55.1771, 55.1772, 55.1773, 55.1774, 55.1775, 55.1776, 55.1777, 55.1778, 55.1779, 55.1780, and 55.1781 to read as follows:

Sec. 55.1771. THE TEXAS A&M UNIVERSITY SYSTEM; ADDITIONAL BONDS. (a) In addition to the other authority granted by this subchapter, the board of regents of The Texas A&M University System may acquire, purchase, construct, improve, renovate, enlarge, or equip facilities, including roads and related infrastructure, for projects to be financed through the issuance of bonds in accordance with this subchapter and in accordance with a systemwide revenue financing program adopted by the board for the following institutions and facilities not to exceed the following aggregate principal amounts for the projects specified as follows:

(1) Tarleton State University:

(A) \$53,000,000 for the renovation and rehabilitation of the O.A. Grant Building, Joe Autry Agricultural Building, and the Engineering Technology Building;

(B) \$26,000,000 for a Student Success Center and

classroom building;

(C) \$58,000,000 for a Special Events Center; and

(D) \$29,000,000 for an Environmental and
Agribusiness Research Building.

(2) Texas A&M University-Commerce:

(A) \$23,250,000 for renovation of the University
Library; and

(B) \$11,250,000 for renovation of the Ferguson
Auditorium and Hall of Languages Building;

(3) Texas A&M University-Corpus Christi:

(A) \$75 million for a life sciences building;

(B) \$50 million for a fine arts center; and

(C) \$31,000,000 for a Learning Resource Center

(4) Texas A&M University-Kingsville:

(A) \$70 million for a performing and visual arts
educational complex; and

(B) \$65 million for a natural
resources/agriculture academic complex;

(5) Texas A&M University-Texarkana, \$46 million for a
classroom and office building;

(6) West Texas A&M University:

(A) \$11 million for renovation of the engineering
program building;

(B) \$15 million for a nursing and health sciences
building; and

(C) \$13,000,000 for renovations for a Research
Facility

1 (7) The Texas A&M University System Health Science
2 Center:

3 (A) \$200 million for Health Science Center
4 expansion in Bryan, Round Rock, and Temple, Texas; and

5 (B) \$60 million for a Health Science Center
6 education and research building in Dallas, Texas;

7 (8) Prairie View A&M University:

8 (A) \$65 million for a classroom building for the
9 College of Education and renovation of the current (Delco) building
10 for academic purposes; and

11 (B) \$15 million for facilities renewal for
12 academic buildings;

13 (9) Texas A&M University, \$95 million for facilities
14 renewal;

15 (10) Texas A&M University at Galveston, \$46 million
16 for facilities renewal; and

17 (11) Texas A&M International University:

18 (A) \$32,500,000 for an academic classroom
19 building; and

20 (B) \$12 million for library expansion and a
21 support services building.

22 (12) Texas A&M System Centers:

23 (A) Texas A&M-Central Texas: \$50,000,000 for a
24 new Classroom/Lab/Office Building

25 (B) Texas A&M-San Antonio: \$60,000,000 for a new
26 Classroom/Lab/Office Building

27 (b) The board may pledge irrevocably to the payment of bonds

1 authorized by this section all or any part of the revenue funds of
2 an institution, branch, or entity of The Texas A&M University
3 System, including student tuition charges. The amount of a pledge
4 made under this subsection may not be reduced or abrogated while the
5 bonds for which the pledge is made, or bonds issued to refund those
6 bonds, are outstanding.

7 (c) If sufficient funds are not available to the board to
8 meet its obligations under this section, the board may transfer
9 funds among institutions, branches, and entities of The Texas A&M
10 University System to ensure the most equitable and efficient
11 allocation of available resources for each institution, branch, or
12 entity to carry out its duties and purposes.

13 Sec. 55.1772. THE UNIVERSITY OF TEXAS SYSTEM; ADDITIONAL
14 BONDS. (a) In addition to the other authority granted by this
15 subchapter, the board of regents of The University of Texas System
16 may acquire, purchase, construct, improve, renovate, enlarge, or
17 equip facilities, including roads and related infrastructure, for
18 projects to be financed through the issuance of bonds in accordance
19 with this subchapter and in accordance with a systemwide revenue
20 financing program adopted by the board for the following
21 institutions not to exceed the following aggregate principal
22 amounts for the projects specified as follows:

23 (1) The University of Texas at Arlington:

24 (A) \$31,000,000 for an Engineering Research
25 Building; and

26 (B) \$60,000,000 for a Nanofab building;

27 (2) The University of Texas at Austin:

1 (A) \$100,000,000 for Phase II of the Liberal Arts
2 building;

3 (B) \$75,000,000 for the Battle Hall complex; and

4 (C) \$150,000,000 for renovation of the core
5 campus;

6 (3) The University of Texas at Brownsville,
7 \$63,000,000 for a Student Success Center;

8 (4) The University of Texas at Dallas, \$140,000,000
9 for a Bio-engineering and Science building;

10 (5) The University of Texas at El Paso:

11 (A) \$75,000,000 for the Honors and Student
12 Leadership Institute; and

13 (B) \$80,000,000 for upgrade and renovation of
14 the fine arts center;

15 (6) The University of Texas-Pan American:

16 (A) \$261,554 for the Starr County Upper-Level
17 Center;

18 (B) \$1,734,798 for the fine arts academic and
19 performance complex;

20 (C) \$40,000,000 College of Business
21 Administration renovation and expansion ; and

22 (D) \$50,000,000 for a research facility addition
23 to the Science Complex;

24 (7) The University of Texas of the Permian Basin:

25 (A) \$8,9000,000 for a science and technology
26 complex;

27 (B) \$7,430,000 million for an arts convocation

1 and classroom facility at the CEED;

2 (C) \$49,000,000 for an engineering building; and

3 (D) \$12,000,000 for campus renovation;

4 (8) The University of Texas at San Antonio:

5 (A) \$132,500,000 for an experimental science
6 instructional building;

7 (B) \$80,000,000 for an information and
8 innovation library center; and

9 (C) \$90,000,000 for a Multidimensional
10 Visualization Center

11 (9) The University of Texas at Tyler

12 (A) \$46,000,000 for a Technology and Life
13 Sciences Building.

14 (10) The University of Texas Southwestern Medical
15 Center at Dallas:

16 (A) \$60 million for the finish out of north
17 campus (phase 5); and

18 (B) \$50 million for south campus building
19 renovation;

20 (11) The University of Texas Medical Branch at
21 Galveston, \$40,000,000 for an education building;

22 (12) The University of Texas Health Science Center at
23 Houston:

24 (A) \$11,000,000 for a replacement building for
25 The University of Texas Dental Branch at Houston;

26 (B) \$35,000,000 for a research park complex; and

27 (C) \$35,000,000 for expansion of the School of

Public Health building;

(13) The University of Texas Health Science Center at San Antonio:

(A) \$20,000,000 for the South Texas Research Facility;

(B) \$50,000,000 for an academic learning and teaching center building; and

(C) \$20,000,000 for facilities and technology infrastructure upgrade;

(14) The University of Texas M. D. Anderson Cancer Center:

(A) \$8,000,000 for the Center for Targeted Therapy research building; and

(B) \$75,000,000 for a Basic Science Research Building II; and

(b) The board may pledge irrevocably to the payment of bonds authorized by this section all or any part of the revenue funds of an institution, branch, or entity of The University of Texas System, including student tuition charges. The amount of a pledge made under this subsection may not be reduced or abrogated while the bonds for which the pledge is made, or bonds issued to refund those bonds, are outstanding.

(c) If sufficient funds are not available to the board to meet its obligations under this section, the board may transfer funds among institutions, branches, and entities of The University of Texas System to ensure the most equitable and efficient allocation of available resources for each institution, branch, or

entity to carry out its duties and purposes.

Sec. 55.1773. UNIVERSITY OF HOUSTON SYSTEM; ADDITIONAL BONDS. (a) In addition to the other authority granted by this subchapter, the board of regents of the University of Houston System may acquire, purchase, construct, improve, renovate, enlarge, or equip facilities, including roads and related infrastructure, for the following institutions, to be financed through the issuance of bonds in accordance with this subchapter and in accordance with a systemwide revenue financing program adopted by the board, in aggregate principal amounts not to exceed the following:

(1) the University of Houston:

(A) \$83,000,000 for a energy and wind research building;

(B) \$75,000,000 for a bio-life sciences research building; and

(C) \$27,000,000 for a multi-cultural studies and classroom complex;

(2) the University of Houston--Clear Lake, \$68,600,000 for an academic enrichment and research facility;

(3) the University of Houston--Downtown, \$51,429,000 for a science and technology building; and

(4) the University of Houston-Victoria, \$30,500,000 for a health and kinesiology education building.

(b) The board may pledge irrevocably to the payment of bonds authorized by this section all or any part of the revenue funds of an institution, branch, or entity of the University of Houston

1 System, including student tuition charges. The amount of a pledge
2 made under this subsection may not be reduced or abrogated while the
3 bonds for which the pledge is made, or bonds issued to refund those
4 bonds, are outstanding.

5 (c) If sufficient funds are not available to the board to
6 meet its obligations under this section, the board may transfer
7 funds among institutions, branches, and entities of the University
8 of Houston System to ensure the most equitable and efficient
9 allocation of available resources for each institution, branch, or
10 entity to carry out its duties and purposes.

11 Sec. 55.1774. TEXAS STATE UNIVERSITY SYSTEM; ADDITIONAL
12 BONDS. (a) In addition to the other authority granted by this
13 subchapter, the board of regents of the Texas State University
14 System may acquire, purchase, construct, improve, renovate,
15 enlarge, or equip facilities, including roads and related
16 infrastructure, for projects to be financed through the issuance of
17 bonds in accordance with this subchapter and in accordance with a
18 systemwide revenue financing program adopted by the board for the
19 following institutions not to exceed the following aggregate
20 principal amounts for the projects specified as follows:

21 (1) Lamar University:

22 (A) \$25,000,000 for a new science building;

23 (B) \$15,000,000 for a facilities management
24 complex;

25 (C) \$36,000,000 for renovation of academic
26 buildings;

27 (D) \$15,000,000 for a new administration

1 services building;

2 (E) \$5,000,000 for a new security and computing
3 center;

4 (F) \$10,000,000 for Addition II to the Cherry
5 Engineering Building; and

6 (G) \$2,000,000 for the land acquisition;

7 (2) Lamar State College-Orange:

8 (A) \$3,600,000 for a workforce training center;

9 and

10 (B) \$6,000,000 for a multi-purpose educational
11 building;

12 (3) Lamar State College-Port Arthur:

13 (A) \$1,100,000 for an addition to the allied
14 health building; and

15 (B) \$1,500,000 for Phase 1 of the Central Plant;

16 (4) Lamar Institute of Technology:

17 (A) \$12,000,000 for a student services learning
18 support center; and

19 (B) \$12,000,000 for the renovation of five
20 technical arts buildings;

21 (5) Texas State University-San Marcos:

22 (A) \$52,000,000 for a recital hall and theater
23 center

24 (B) \$73,366,977 for RRHEC-Health Professions #1;

25 (C) \$79,425,175 for a music building;

26 (D) \$24,849,899 for RRHEC-Health Professions #2;

27 and

1 (E) \$33,075,242 for an engineering and sciences
2 building;

3 (6) Sam Houston State University:

4 (A) \$37,000,000 for an integrated energy and
5 technology building;

6 (B) \$30,000,000 for a nursing, allied health, and
7 biology building;

8 (C) \$24,000,000 for the Texas Forensic Science
9 Building; and

10 (D) \$20,000,000 for an agriculture complex and
11 academic building

12 (7) Sul Ross State University:

13 (A) \$4,845,000 for the renovation of the
14 industrial technology building; and

15 (B) \$1,500,000 for a student success center.

16 (b) The board may pledge irrevocably to the payment of bonds
17 authorized by this section all or any part of the revenue funds of
18 an institution, branch, or entity of the Texas State University
19 System, including student tuition charges. The amount of a pledge
20 made under this subsection may not be reduced or abrogated while the
21 bonds for which the pledge is made, or bonds issued to refund those
22 bonds, are outstanding.

23 (c) If sufficient funds are not available to the board to
24 meet its obligations under this section, the board may transfer
25 funds among institutions, branches, and entities of the Texas State
26 University System to ensure the most equitable and efficient
27 allocation of available resources for each institution, branch, or

1 entity to carry out its duties and purposes.

2 Sec. 55.1775. UNIVERSITY OF NORTH TEXAS SYSTEM; ADDITIONAL
3 BONDS. (a) In addition to the other authority granted by this
4 subchapter, the board of regents of the University of North Texas
5 System may acquire, purchase, construct, improve, renovate,
6 enlarge, or equip facilities, including roads and related
7 infrastructure, for projects to be financed through the issuance of
8 bonds in accordance with this subchapter and in accordance with a
9 systemwide revenue financing program adopted by the board for the
10 following institutions and facilities not to exceed the following
11 aggregate principal amounts for the projects specified as follows:

12 (1) the University of North Texas System, \$40,000,000
13 for a College of Law;

14 (2) the University of North Texas, \$63,000,000 for a
15 College of Visual Arts and Design building; and

16 (3) the University of North Texas Dallas Campus,
17 \$18,500,000 for a second building.

18 (4) the University of North Texas Health Sciences
19 Center. \$90,000,000 for a new Research Building

20 (b) The board may pledge irrevocably to the payment of bonds
21 authorized by this section all or any part of the revenue funds of
22 an institution, branch, or entity of the University of North Texas
23 System, including student tuition charges. The amount of a pledge
24 made under this subsection may not be reduced or abrogated while the
25 bonds for which the pledge is made, or bonds issued to refund those
26 bonds, are outstanding.

27 (c) If sufficient funds are not available to the board to

meet its obligations under this section, the board may transfer funds among institutions, branches, and entities of the University of North Texas System to ensure the most equitable and efficient allocation of available resources for each institution, branch, or entity to carry out its duties and purposes.

(d) Notwithstanding Subsection (a), the University of North Texas System may not issue bonds under this section for facilities at the University of North Texas Dallas Campus until the Texas Higher Education Coordinating Board certifies that enrollment at the University of North Texas Dallas Campus has reached an enrollment equivalent of 1,500 full-time students for one semester. If that enrollment is not reached by January 1, 2010, the system's authority to issue bonds for the University of North Texas Dallas Campus under this section expires on that date.

Sec. 55.1776. TEXAS WOMAN'S UNIVERSITY. (a) In addition to the other authority granted by this subchapter, the board of regents of Texas Woman's University may acquire, purchase, construct, improve, renovate, enlarge, or equip facilities, including roads and related infrastructure, for projects to be financed through the issuance of bonds in accordance with this subchapter and in accordance with a systemwide revenue financing program adopted by the board for the following institutions and facilities not to exceed the following aggregate principal amounts for the projects specified as follows:

- (1) \$26,000,000 for a graduate research building;
- (2) \$17,500,000 for the renovation of the old main building;

1 (3) \$9,500,000 for a new academic support and
2 administrative support building; and

3 (4) \$4,800,000 for infrastructure repair and upgrade.

4 (b) The board may pledge irrevocably to the payment of bonds
5 authorized by this section all or any part of the revenue funds of
6 Texas Woman's University, including student tuition charges. The
7 amount of a pledge made under this subsection may not be reduced or
8 abrogated while the bonds for which the pledge is made, or bonds
9 issued to refund those bonds, are outstanding.

10 Sec. 55.1777. MIDWESTERN STATE UNIVERSITY; ADDITIONAL
11 BONDS. (a) In addition to the other authority granted by this
12 subchapter, the board of regents of Midwestern State University may
13 acquire, purchase, construct, improve, renovate, enlarge, or equip
14 facilities, including roads and related infrastructure, for
15 projects at Midwestern State University, to be financed through the
16 issuance of bonds in accordance with this subchapter not to exceed
17 the following aggregate principal amounts for the projects
18 specified as follows:

19 (1) \$6,420,000 for Phase II of the renovation of the D.
20 L. Ligon Building; and

21 (2) \$40,000,000 for the reconstruction of the Moffett
22 Library.

23 (b) The board may pledge irrevocably to the payment of bonds
24 authorized by this section all or any part of the revenue funds of
25 Midwestern State University, including student tuition charges.
26 The amount of a pledge made under this subsection may not be reduced
27 or abrogated while the bonds for which the pledge is made, or bonds

1 issued to refund those bonds, are outstanding.

2 Sec. 55.1778. STEPHEN F. AUSTIN STATE UNIVERSITY. (a) In
3 addition to the other authority granted by this subchapter, the
4 board of regents of Stephen F. Austin State University may acquire,
5 purchase, construct, improve, renovate, enlarge, or equip
6 facilities, including roads and related infrastructure, for a
7 molecular sciences building at Stephen F. Austin State University,
8 to be financed through the issuance of bonds in accordance with this
9 subchapter not to exceed the aggregate principal amount of
10 \$46,000,000.

11 (b) The board may pledge irrevocably to the payment of bonds
12 authorized by this section all or any part of the revenue funds of
13 Stephen F. Austin State University, including student tuition
14 charges. The amount of a pledge made under this subsection may not
15 be reduced or abrogated while the bonds for which the pledge is
16 made, or bonds issued to refund those bonds, are outstanding.

17 Sec. 55.1779. TEXAS TECH UNIVERSITY SYSTEM; ADDITIONAL
18 BONDS. (a) In addition to the other authority granted by this
19 subchapter, the board of regents of the Texas Tech University
20 System may acquire, purchase, construct, improve, renovate,
21 enlarge, or equip facilities, including roads and related
22 infrastructure, for projects to be financed through the issuance of
23 bonds in accordance with this subchapter and in accordance with a
24 systemwide revenue financing program adopted by the board not to
25 exceed the following aggregate principal amounts for the projects
26 specified as follows:

27 (1) Texas Tech University Health Sciences Center:

1 (A) \$72,000,000 for Lubbock
2 Education/Research/Technology and renovation;

3 (B) \$58,500,000 for the EL Paso Medical Science
4 Building II;

5 (C) \$27,000,000 for the El Paso Clinical Sciences
6 Building;

7 (D) \$12,600,000 for the Permian Basin medical
8 education facility; and

9 (E) \$14,850,000 for the Panhandle
10 clinical/hospital simulation center;

11 (2) Texas Tech University:

12 (A) \$95,000,000 for the expansion and renovation
13 of the College of Engineering;

14 (B) \$42,500,000 for a Plant and Soil Sciences
15 Building; and

16 (C) \$45,000,000 for a performing arts center; and

17 (3) Angelo State University:

18 (A) \$40,000,000 for the College of Nursing and
19 Allied Health;

20 (B) \$35,000,000 for campus modernization and
21 expansion; and

22 (C) \$42,325,000 for a Performing Arts Center.

23 (b) The board may pledge irrevocably to the payment of bonds
24 authorized by this section all or any part of the revenue funds of
25 an institution, branch, or entity of the Texas Tech University
26 System, including student tuition charges. The amount of a pledge
27 made under this subsection may not be reduced or abrogated while the

bonds for which the pledge is made, or bonds issued to refund those bonds, are outstanding.

(c) If sufficient funds are not available to the board to meet its obligations under this section, the board may transfer funds among institutions, branches, and entities of the Texas Tech University System to ensure the most equitable and efficient allocation of available resources for each institution, branch, or entity to carry out its duties and purposes.

Sec. 55.1780. TEXAS SOUTHERN UNIVERSITY; ADDITIONAL BONDS.

(a) In addition to the other authority granted by this subchapter, the board of regents of Texas Southern University may acquire, purchase, construct, improve, renovate, enlarge, or equip facilities, including roads and related infrastructure, for projects at Texas Southern University, to be financed through the issuance of bonds in accordance with this subchapter not to exceed the following aggregate principal amounts for the projects specified as follows:

(1) \$46,000,000 for renovation of the Robert J. Terry Library;

(2) \$9,450,000 for a Spearman technology building;

(3) \$4,500,000 for Multi-purpose Academic Center;

(4) \$30,000,000 for deferred maintenance;

(5) \$5,000,000 for asbestos abatement and removal;

(6) \$10,000,000 for campus infrastructure/beautification; and

(7) \$4,000,000 for land acquisition/Multi-Purpose Academic Center.

1 (b) The board may pledge irrevocably to the payment of bonds
2 authorized by this section all or any part of the revenue funds of
3 Texas Southern University, including student tuition charges. The
4 amount of a pledge made under this subsection may not be reduced or
5 abrogated while the bonds for which the pledge is made, or bonds
6 issued to refund those bonds, are outstanding.

7 Sec. 55.1781. TEXAS STATE TECHNICAL COLLEGE SYSTEM. (a) In
8 addition to the other authority granted by this subchapter, the
9 board of regents of the Texas State Technical College System may
10 acquire, purchase, construct, improve, renovate, enlarge, or equip
11 property, buildings, structures, facilities, roads, or related
12 infrastructure, for projects to be financed through the issuance of
13 bonds in accordance with this subchapter not to exceed the
14 following aggregate principal amounts for the projects specified as
15 follows:

16 (1) Texas State Technical College-Harlingen,
17 \$8,000,000 to construct an academic building;

18 (2) Texas State Technical College-Brownwood,
19 \$3,000,000 to renovate an academic building;

20 (3) Texas State Technical College-Marshall,
21 \$2,500,000 for a diesel equipment technology building; and

22 (4) Texas State Technical College-Waco:

23 (A) \$10,000,000 for a learning services center;
24 and

25 (B) \$5,000,000 for Phase II of the East
26 Williamson County Education Center.

27 (b) The board may pledge irrevocably to the payment of those

1 bonds all or any part of the revenue funds of an institution,
2 branch, or entity of the Texas State Technical College System,
3 including student tuition charges. The amount of a pledge made
4 under this subsection may not be reduced or abrogated while the
5 bonds for which the pledge is made, or bonds issued to refund those
6 bonds, are outstanding.

7 (c) If sufficient funds are not available to the board to
8 meet its obligations under this section, the board may transfer
9 funds among institutions, branches, and entities of the Texas State
10 Technical College System to ensure the most equitable and efficient
11 allocation of available resources for each institution, branch, or
12 entity to carry out its duties and purposes.

13 SECTION 2. Section 61.0572(e), Education Code, is amended
14 to read as follows:

15 (e) Approval of the board is not required to acquire real
16 property that is financed by bonds issued under Section 55.17(e)(3)
17 or (4), 55.1713-55.1718, 55.1721-55.1728, 55.1735(a)(1), 55.174,
18 55.1742, 55.1743, 55.1744, ~~[or]~~ 55.1751-55.17592, or
19 55.1771-55.1781, except that the board shall review all real
20 property to be financed by bonds issued under those sections to
21 determine whether the property meets the standards adopted by the
22 board for cost, efficiency, and space use. If the property does not
23 meet those standards, the board shall notify the governor, the
24 lieutenant governor, the speaker of the house of representatives,
25 and the Legislative Budget Board.

26 SECTION 3. Section 61.058(b), Education Code, is amended to
27 read as follows:

1 (b) This section does not apply to construction, repair, or
2 rehabilitation financed by bonds issued under Section 55.17(e)(3)
3 or (4), 55.1713-55.1718, 55.1721-55.1728, 55.174, 55.1742,
4 55.1743, 55.1744 [~~or~~] 55.1751-55.17.592 , or 55.1771-55.1781,
5 except that the board shall review all construction, repair, or
6 rehabilitation to be financed by bonds issued under those sections
7 to determine whether the construction, rehabilitation, or repair
8 meets the standards adopted by board rule for cost, efficiency, and
9 space use. If the construction, rehabilitation, or repair does not
10 meet those standards, the board shall notify the governor, the
11 lieutenant governor, the speaker of the house of representatives,
12 and the Legislative Budget Board.

13 SECTION 4. This Act does not affect any authority or
14 restriction regarding the activities that a public institution of
15 higher education may conduct in connection with a facility financed
16 by bonds authorized by this Act.

17 SECTION 5. This Act takes effect immediately if it receives
18 a vote of two-thirds of all the members elected to each house, as
19 provided by Section 39, Article III, Texas Constitution. If this
20 Act does not receive the vote necessary for immediate effect, this
21 Act takes effect on the 91st day after the last day of the
22 legislative session.